

PLANNING COMMISSION REPORT



MEETING DATE: December 1, 2004

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Miller & McDonald –12-ZN-2004

REQUEST

Request to rezone from Single Family Residential District (R1-43) to Service Residential (S-R) on a 4 +/- acre parcel located at 5975 N Miller Road (Southeast corner of McDonald Drive & Miller Road).

Key Items for Consideration:

- Site is vacant, undeveloped land.
- The rezoning of the parcel from single family residential to an office district conforms to recently approved general plan amendment to an Office land use designation.
- The property is surplus land, which was part of the larger 7+/- acre Arizona-America Water Company site.
- Neighborhood comments have been generally mixed with concerns expressed being related to traffic, noise, limited views and lighting issues.

Related Policies, References:

- Case 6-GP-2004 is the associated General Plan amendment case for the site was approved to amend Land Use Element of the General Plan from Rural Neighborhoods to Office, by Council on October 25, 2005
- Case 12-UP-1995 approved the Use Permit for a “public utility” for the water treatment facility (south of the site) in 1995.
- A previous use permit (Case 21-UP-1972) approved a well site (#15) at the southeast corner of the water treatment facility site in 1972
- The property was annexed from the County in 1965 as R1-43 District.

OWNER

Arizona American Water Company
623-445-2403

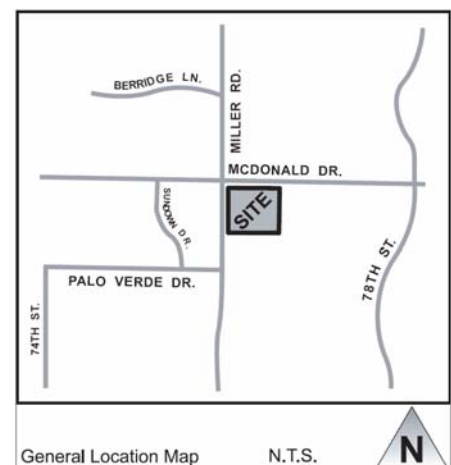
APPLICANT CONTACT

John Berry
Berry & Damore
480-385-2727

BACKGROUND

Context.

The surrounding properties include single family (R1-43) to the southwest, office (S-R) to the west; Cultural/Institutional (Cattle Track) and office (S-R) to the north and northwest; multi-family (R-5) to the east and the water treatment facility to the south of this property.



APPLICANT'S PROPOSAL

Goal/Purpose of Request.

The request is to rezone the property from Single Family Residential (R1-43) to Service Residential (S-R) District to develop the site with two (2) single story, office buildings. Within the proposed zoning district, offices may be used for both professional office and medical office use. In response to neighborhood concerns, the site plan has been modified by the applicant by placing the 2 proposed buildings along the west side of the site, and altering the proposed site access driveways northward, to align with the existing commercial drive along the western side of Miller Road, and to create a direct driveway access to McDonald Drive at the north side of the site.

Development information.

- *Existing Use:* Undeveloped vacant land
- *Buildings/Description:* 2 single-story office buildings
- *Parcel Size:* 3.16 acres net
- *Building Height Allowed:* 18 feet
- *Proposed Building Height:* 18 feet
- *Floor Area:* Each building is 12,300 square feet (24,600 square feet total floor area, Floor Area Ratio (FAR), 0.18)
- *Building setbacks* 25 feet from north, 12 feet from west and 75 feet from the Arizona Canal
- *Parking* 90 spaces are required (based on ½ medical office and ½ professional office tenant use), 123 are provided.

IMPACT ANALYSIS

Traffic.

The approval of the rezoning request from Single Family Residential (R1-35) to Service Residential (SR) on the subject parcel will likely yield a net increase of 453 trips per day. The peak hour traffic generated by the site will also increase. The increased traffic volumes are within the range of traffic carrying capabilities of both Miller Road, which has a capacity of 1,500 to 5,000 vehicles per day, and McDonald Drive, which has a capacity of 25,000 to 35,000 vehicles per day.

The site-generated traffic will be directed to proposed accesses onto Miller and McDonald Roads. Capacity analyses for the years 2005 and 2015 indicate that traffic at the signalized intersection of McDonald Drive and Miller Road will continue to operate at acceptable levels of service. Capacity analyses at the site driveway on Miller Road indicate that the site traffic will operate at good levels of service due to the low volumes on this section of Miller Road. The applicant is proposing a right and left-in and, right-out access from McDonald Drive to the site. In addition, the applicant proposes a restricted driveway access (left in and right out) from Miller Road to the site. This driveway would attempt to prohibit the access to and from the south. Staff does not support this design because the city's experience with these restricted driveways is that they are not effective without a raised median in the street, and the turn restrictions are not enforced. Also, Miller Road terminates

approximately one-half mile south of McDonald.

The City has a Capital Improvement Project (CIP) planned for this section of McDonald Drive – Scottsdale Road to Hayden Road. This project will construct additional turn lanes at the Scottsdale Road, Miller Road, and 78th Street intersections. Construction is anticipated to begin in the summer of 2005. It is expected that the project will construct left turn lanes on all four approaches at the intersection of McDonald Drive and Miller Road/Cattletrack Road. The preliminary plans also include a northbound right-turn lane at the intersection. The applicant will contribute in-lieu payments towards the City's CIP project. The proposed left-in turn lane from McDonald Drive has been made at the request of the applicant however, staff is uncertain if the pending CIP project for McDonald Drive will support this additional turning movement and stacking bay along westbound McDonald. The final determination of the proposed left turn land into the site will be determined at the time of the CIP planning and improvements.

Water/Sewer.

Water and sewer facilities exist in the adjacent streets and can be extended to the site by the developer at the time of construction. Water is provided by the Arizona American Water Company.

Fire.

Site access and travel aisles meet the requirements of Rural Metro for emergency vehicle turning movements.

Open space, scenic corridors.

Buffered setbacks of 25 feet are provided adjacent to McDonald Drive on the north and 12 feet adjacent to the building along Miller Road on the west. As well, open space is provided adjacent to the Arizona Canal on the east. Overall, about 33,000 square feet (24%) of open space is required and at least 40,000 square feet (29%) is provided.

Policy Implications.

With the amendment of the General Plan from Rural Neighborhoods to Office, the Service Residential (S-R) District is an appropriate zone that contains similar land uses to the properties located toward the west and northwest along McDonald Drive. The S-R district is intended to function as a transitional use between major streets and adjacent residential development. The S-R District is designed to be reasonably compatible with adjacent residential uses and provides low scale, professional and medical offices use for this area. The existing residential zoning if maintained would otherwise provide for approximately four (4) single family lots on the site, or a church or other uses allowed in the R1-43 District.

Community Involvement.

After notification of residents within 750 feet of the site and posting the property with a "Project Under Consideration Sign," two open houses were held on June 24 and July 8, 2004. Approximately 12 people attended the open houses and generally neighbors indicated that the proposed office use was more favorable than potential retail, convenience or fast food stores for the

site. Also the S-R use with lower scale buildings was more favorable than a Commercial Office (C-O) District use that would allow taller office buildings on the site. Some negative comments were received at the open house and also by staff relating to increased traffic, especially traffic cutting through the adjacent Sundown Estates neighborhood and increased traffic at the McDonald/ Miller intersection, which was already deemed to have congestion during rush hours. Other concerns related to limiting or disruption of views of Camelback Mountain, noise and lighting. As a result of neighborhood comments, the office buildings have been repositioned from the north to the northwest and west sides of the site, as well as modification of the parking lot and drives. Since the site plan modifications have been provided, neighbors have expressed no concerns or comments.

Community Impact.

No adverse impact on adjoining properties is expected. The request to rezone and extend the Service Residential office use to the site is consistent to the frontage along McDonald Drive from Scottsdale Road to Miller Road. The Service Residential District and associated low scale office use is a generally compatible land use buffering residential areas from major streets. The proposed buildings will be single story and should not adversely impact the existing views from adjacent properties. The offices will not create undue levels of traffic or noise to affect adjacent residential property. Building architecture, landscaping and lighting will be addressed at the time of development review. With the reconfiguration of the site plan, impacts on residential property owners to the west have been reduced.

STAFF
RECOMMENDATION

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.

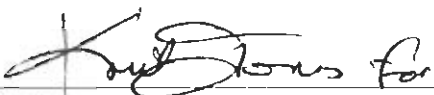
RESPONSIBLE
DEPT(S)

Planning and Development Services Department
Current Planning Services

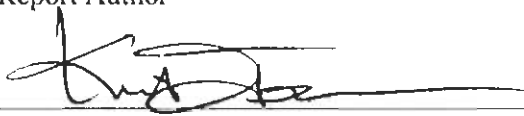
STAFF CONTACT(S)

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E-mail: award@ScottsdaleAZ.gov

APPROVED BY



Al Ward
Report Author



Kurt Jones, AICP
Director, Current Planning

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Existing Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Traffic Impact Summary
8. Citizen Involvement
9. City Notification Map
10. Site Plan



City of Scottsdale PROJECT NARRATIVE



- ☒ Rezoning ☐ Other
- ☐ Use Permit
- ☐ Development Review
- ☐ Master Sign Programs
- ☐ Variance

Case # _____ / 850-PA-03 TH

Project Name McDonald Professional Ctr.

Location 5975 N. Miller Road

Applicant DEI Professional Services

(602) 954-0038 ph

SITE DETAILS

Proposed/Existing Zoning: _____

Use: _____

Parcel Size: _____

☐ Gross Floor Area ☐ Total Units: _____

☐ Floor Area Ratio ☐ Density: _____

Parking Required: _____

Parking Provided: _____

Of Buildings: _____

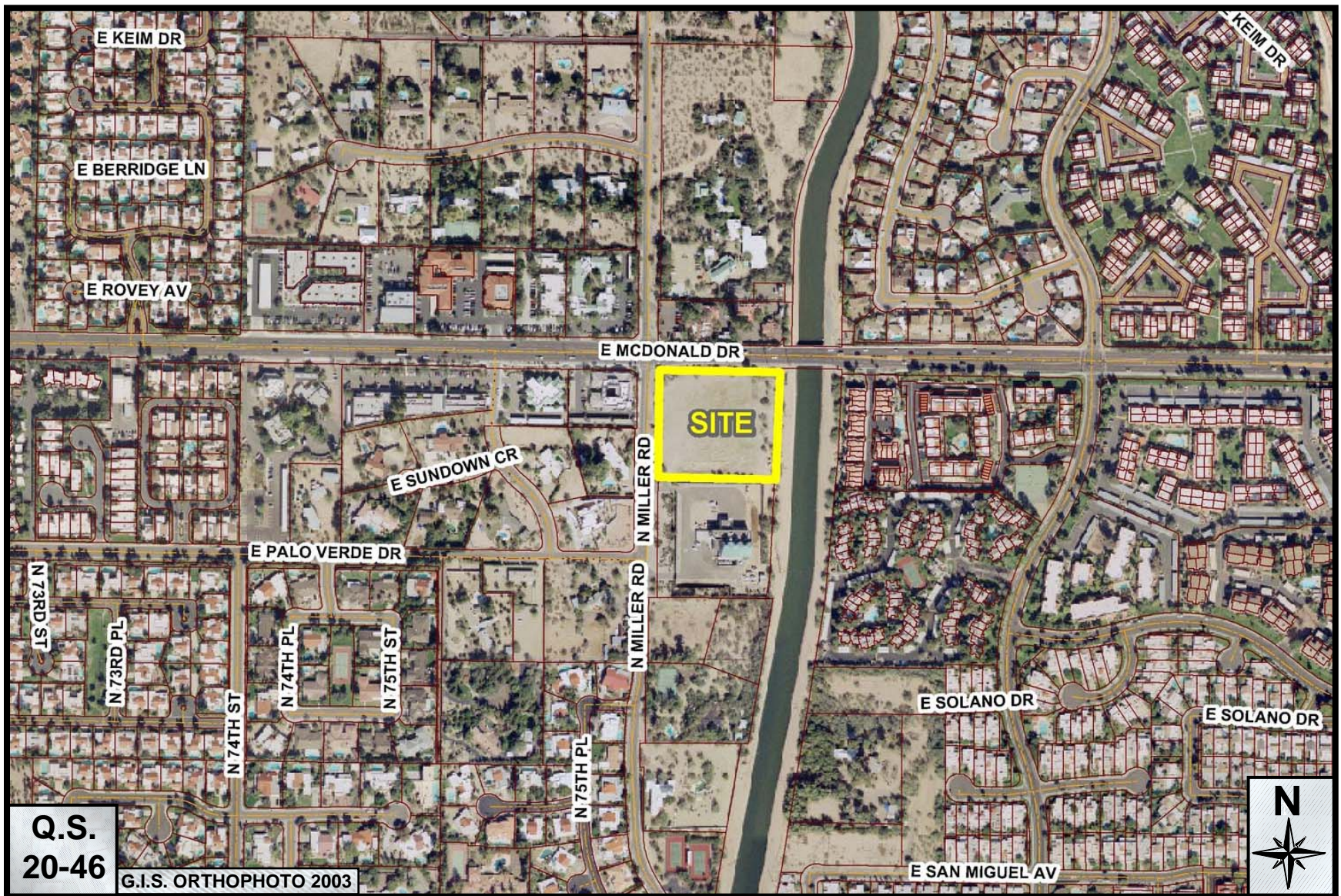
Height: _____

Setbacks: N- _____ S- _____

E- _____ W- _____

In the following space, please describe the project or the request

In concert with the proposed General Plan (in process) we herein apply to rezone this property from R1-43 to SR. The proposed use is consistent with existing SR zones to the West and NW of the property as fronting along McDonald Dr. Multi Family uses R1-5, R1-7 and R1-10 respectively to the east are buffered by the considerable separation provided by the AZ Canal. The adjoining R1-43 district north of the proposed is separated by the width of McDonald Dr. Please note that this is the Stable Galleries, historically and currently a boutique commercial use. Generous setbacks beyond required and rich landscape are indicated along the proposed development north side. The adjoining R1-43 district west of the property is buffered by Miller Road. and would be benefited by the scale, quality and development standards implicit to the transitional nature of SR zoning. The R1-43 directly to the south (with the only common property line to the proposed) currently serves in special use for the water treatment facility. SR use to it's north would soften and transition down the scale of the treatment building and better blend it into the community.



Q.S.
20-46

G.I.S. ORTHOPHOTO 2003

Miller & McDonald

12-ZN-2004

ATTACHMENT #2



Q.S.
20-46

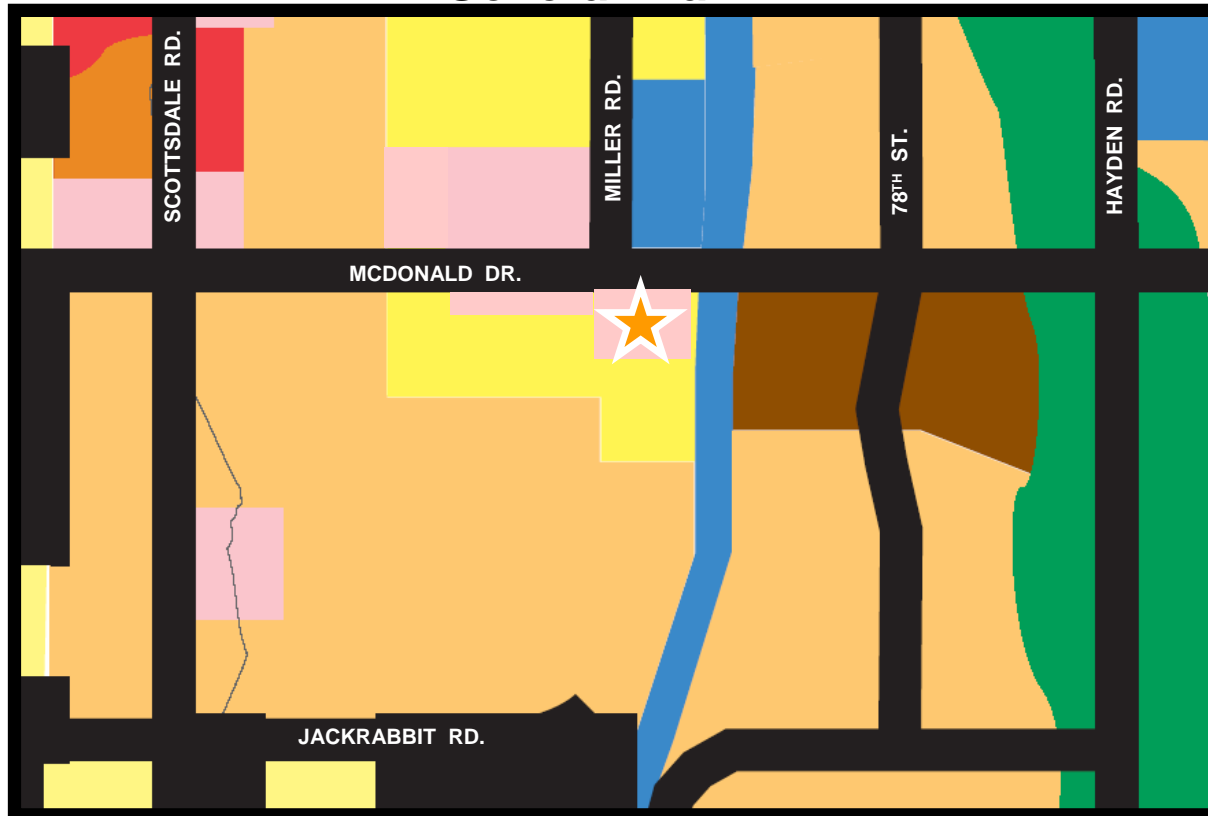
G.I.S. ORTHOPHOTO 2003

Miller & McDonald

12-ZN-2004

ATTACHMENT #2A

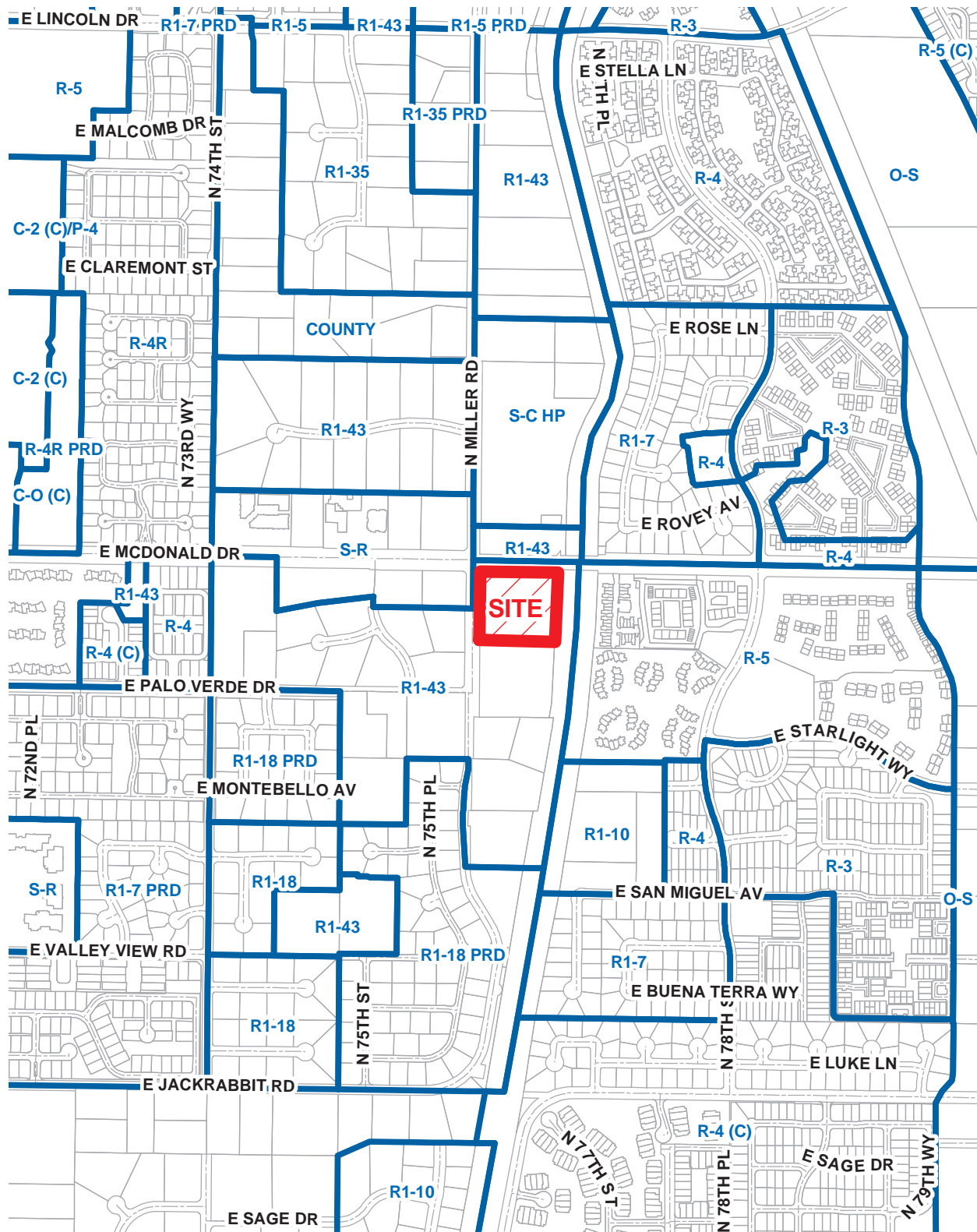
General Plan



12-ZN-2004

ATTACHMENT #3

Adopted by City Council October 30, 2001
 Ratified by Scottsdale voters March 12, 2002
 revised to show McDowell Sonoran Preserve as of August 2003
 Revised to reflect Case 4-GP-2002, adopted by City Council October 29, 2002



12-ZN-2004

ATTACHMENT #4

STIPULATIONS FOR CASE 12-ZN-2004

PLANNING/ DEVELOPMENT

1. CONFORMANCE TO SITE PLAN. Development shall conform to the site plan submitted by H and S International L.L.C. and staff dated 11/15/04. The following stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. BUILDING SETBACKS. Minimum building setback shall be twenty-five (25) feet from McDonald Drive right-of-way, twelve (12) feet from Miller Road right-of-way and seventy-five (75) feet the Arizona Canal Property line.
3. PARKING LOT SETBACK. Parking spaces shall not be permitted within twenty-five (25) feet of the McDonald Drive right-of-way.
4. LANDSCAPE BUFFER. With the Development Review Board submittal, the Developer shall provide landscape buffers between the building and the McDonald Drive right-of-way containing a minimum of twenty-five (25) feet, and a minimum of twelve (12) feet from the building and Miller Road right-of-way.
5. LIGHTING. With the Development Review Board submittal, the applicant shall provide to the satisfaction of the City Staff, documentation that the following conditions have been met:
 - a. All exterior luminaries shall meet all IESNA requirements for full cutoff, and shall be aimed downward and away from property line except for sign lighting.
 - b. The individual luminarie lamp shall not exceed 250 watts.
 - c. All exterior light poles, pole fixtures, and yokes, including bollards (when utilized) shall be a flat black or dark bronze.
 - d. No lighting shall be permitted in dedicated NAOS easements.
 - e. The maintained average horizontal illuminance level, at grade on the site, shall not exceed 1.5 foot-candles.
 - f. The maintained maximum horizontal illuminance level, at grade on the site, shall not exceed 6.0 foot-candles. All exterior luminaries shall be included in this calculation.
 - g. The initial vertical illuminance at 6.0 foot above grade, along the entire property line (or 1 foot outside of any block wall exceeding 5 foot in height) shall not exceed 0.3 foot-candles. All exterior luminaries shall be included in this calculation.
 - h. All lighting, with the exception of security lighting, shall be turned off no later than 10:00 p.m.
6. CHARACTER. The City Council directs the Development Review Board's attention to the proposed character of the site as set forth in the "building elevation perspective" submitted by H and S International L.L.C. and staff dated 11/15/04. The Development Review Board shall ensure the character of the development is consistent with the elevations in terms of architectural elements, colors, and materials. Any proposed significant changes, as determined by the Planning and Development Services General Manager, shall be subject to Development Review Board review.

CIRCULATION

1. STREET CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following right-of-way and construct the following street improvements, in conformance with the Design Standards and Policies Manual:

Street Name/Type	Dedications	Improvements	Notes
McDonald Drive Minor Arterial	55' Existing	Complete half street	A
Miller Road Local Collector	35' Existing	Complete half street	B

- A. The developer's street improvement requirements for McDonald Drive shall consist of completing the half street improvements for a minor arterial street along the site frontage. This shall consist of (at a minimum) construction of vertical curb and gutter, and an 8' wide sidewalk. The improvements shall be coordinated with the City of Scottsdale Capital Improvement Project, McDonald Drive – Scottsdale to Hayden, Project 410-S0310.
 - B. The developer's street improvement requirements for Miller Road shall consist of completing the half street improvements for a local collector along the site frontage. This shall consist of (at a minimum) construction of roll curb and gutter, and northbound a left-turn lane. The improvements shall be coordinated with the city of Scottsdale Capital Improvement Project, McDonald Drive – Scottsdale to Hayden, Project 410-S0310.
2. **IN LIEU PAYMENTS.** At the direction of city staff, before issuance of any building permit for the site, the developer shall not construct the street improvements specified by the **Notes** in the stipulation above, but shall make an in lieu payment to the city. Before any final plan approval, the developer shall submit an engineer's estimate for plan preparation, design and construction costs of the half street improvements for McDonald Drive and Miller Road as described above. The in-lieu payment shall be based on this estimate, plus five percent (5%) contingency cost and other incidental items, as determined by city staff.
3. **ACCESS RESTRICTIONS.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct the following access to the site. Access to the site shall conform to the following restrictions (distances measured to the driveway or street centerlines):
 - a. McDonald Drive - There shall be a maximum of one site driveway from McDonald Drive, with a minimum of 250 feet between the driveway and adjacent street or driveway intersections. Driveway access to McDonald Drive shall be restricted to right-in, right-out only access (planned raised median). The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street entrance. Note; where otherwise approved by the Transportation Department and where otherwise deemed acceptable through the Capital Improvement Project improvements for McDonald Drive, a left-in only turn lane and vehicle holding bay may be approved from west-bound McDonald Drive into the site, a modified raised median design for the site.
 - b. Miller Road - There shall be a maximum of one new site driveway from Miller Road. The northern site driveway shall align with the existing office project driveway on the west side of the street or be offset a minimum distance of 100 feet. There shall be a minimum separation of 100 feet between proposed new site driveway and the existing southern driveway. Unless otherwise required by the Transportation Department, the driveway access from Miller Road shall permit full turning movements. The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street entrance.
4. **EASEMENT REQUIREMENTS.** Before any final plan approval, the developer shall dedicate an cross access easement over the shared driveway on Miller Road in a form acceptable to city staff.

WATER

Note, Water is supplied from the Arizona American Water Co. (AAWC) and it is the Developer's responsibility to secure approvals and meet requirements of the AAWC., including assurance of availability of a 100 yr. water supply. At the time of Final Plans submittal, the Developer shall provide documentation of the approval of the AAWC regarding water supply, to the satisfaction of City staff.

DRAINAGE EASEMENT ADJACENT TO THE ARIZONA CANAL

1. The developer shall continue to maintain the present 75-foot wide drainage easement located adjacent to the Arizona Canal, along the eastern side of the site and with the Development Review Board Site Plan submittal, shall assure that office buildings are not situated within this easement.

ADDITIONAL INFORMATION FOR CASE 12-ZN-2004

PLANNING/DEVELOPMENT

1. **DEVELOPMENT CONTINGENCIES.** The approved development program, including intensity, may be changed due to drainage issues, topography, and other site planning concerns which will need to be resolved at the time of preliminary plat or site plan approval. Appropriate design solutions to these constraints may preclude achievement of the proposed development program.
2. **FINAL BUILDING LOCATION.** The specific location of each building shall be subject to Development Review Board approval.
3. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. building and wall design and location, including walls for parking lot screening
 - b. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - c. major stormwater management systems,
 - d. landscaping and buffering along McDonald Rd. and Miller Rd.,
 - e. signage,

ENGINEERING

1. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
2. **FEES.** The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
3. **STREET CONSTRUCTION STANDARDS.** The streets for the site shall be designed and constructed to the standards in the Design Standards and Policies Manual.
4. **CITY CONTROL OF ACCESS.** The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

DRAINAGE AND FLOOD CONTROL

1. **CONCEPTUAL DRAINAGE REPORT.** With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:

- a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes which exit the property.
 - b. Determine easement dimensions necessary to accommodate design discharges.
 - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
 - e. Include a complete description of requirements relating to project phasing.
2. FINAL DRAINAGE REPORT. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall conform to the Design Standards and Policies Manual – Drainage Report and Preparation.
 - a. The Drainage Report shall document and provide:
 - (1). Any design that modifies the approved master drainage report requires from the developer a site-specific addendum to the final drainage report and plan, subject to review and approval by the city staff.
 - (2). Addendum generated by the final drainage analysis for this site shall be added to the appendix of the final drainage report.
 - b. Provide final calculations and detailed analysis that demonstrate consistency with the accepted conceptual drainage plan and report.
3. STORM WATER STORAGE REQUIREMENT. Before improvement plan approval, the developer shall submit a final drainage report and plan which calculates the storm water storage volume required, V_r , and the volume provided, V_p , using the 100-year, 2-hour storm event.
4. STORM WATER STORAGE REQUIREMENT. On-site storm water storage is required for the full 100-year, 2-hour storm event, unless city staff approves the developer's Request for Waiver. See Section 2 of the Design Standards and Policies Manual for waiver criteria.
 - a. If applicable, the developer shall submit to the Community Development Division a Request for Waiver Review form, which shall:
 - (1). Include a supportive argument that demonstrates historical flow through the site will be maintained, and that storm water runoff exiting this site has a safe place to flow.
 - (2). Include an estimate for payment in-lieu of on-site storm water storage, subject to city staff approval.
 - b. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained the waiver approval.
5. STORM WATER STORAGE EASEMENTS. With the Development Review Board submittal, the developer shall submit a site plan subject to city staff approval. The site plan shall include and identify tracts with easements dedicated for the purposes of storm water storage, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
6. DRAINAGE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all drainage easements necessary to serve the site.

VERIFICATION OF COMPLIANCE

1. REQUIRED SPECIAL INSPECTIONS. Before the approval of the improvement plans, the Project Quality/Compliance Division staff shall specify those drainage facilities that shall be

required to have Special Inspections. See Section 2-109 of the Design Standards and Policies Manual for more information on this process.

2. **CONDITION FOR ISSUANCE OF GRADING & DRAINAGE PERMIT.** Before the issuance of a Grading & Drainage Permit:
 - a. The developer shall certify to the Project Quality/Compliance Division, that it has retained an Inspecting Engineer by completing Part I (Project Information) and Part II (Owner's Notification of Special Inspection) of the Certificate of Special Inspection of Drainage Facilities (CSIDF); and,
 - b. The Inspecting Engineer shall seal, sign and date Part III (Certificate of Responsibility) of the CSIDF.
3. **CONDITION FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR LETTER OF ACCEPTANCE.** Before the issuance of a Certificate of Occupancy and/or a Letter of Acceptance:
 - a. The Inspecting Engineer shall seal, sign and date the Certificate of Compliance form.
 - b. The developer shall submit all required Special Inspection Checklists and the completed Certificate of Compliance form to the Inspection Services Division. The Certificate of Compliance form shall be sealed, signed and dated by the Inspecting Engineer, and shall be attached to all required Special Inspection Checklists completed by the Inspecting Engineer.
4. **AS-BUILT PLANS.** City staff may at any time request the developer to submit As-built plans to the Inspection Services Division. As-built plans shall be certified in writing by a registered professional civil engineer, using as-built data from a registered land surveyor. As-built plans for drainage facilities and structures shall include, but are not limited to, streets, lot grading, storm drain pipe, valley gutters, curb and gutter, flood walls, culverts, inlet and outlet structures, dams, berms, lined and unlined open channels, storm water storage basins and underground storm water storage tanks, bridges as determined by city staff.

WASTEWATER

1. **BASIS OF DESIGN REPORT (SANITARY SEWER).** Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall be in conformance with the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
 - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. **APPROVED BASIS OF DESIGN REPORT.** Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.
3. **NEW WASTEWATER FACILITIES.** Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater related facilities necessary to serve the site.

4. **SANITARY SEWER EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all sewer easements necessary to serve the site.

OTHER REQUIREMENTS

1. **ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS.** All construction activities that disturb five or more acres, or less than five acres if the site is a part of a greater common plan, shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site <http://www.epa.gov/region>.

The developer shall:

- a. Submit a completed Notice of Intent (NOI) to the EPA.
 - b. Submit a completed Storm Water Pollution Prevention Plan (SWPPP) to the EPA.
2. **NOTICE OF INTENT (NOI).** With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a copy of the NOI.
 3. **SECTION 404 PERMITS.** With the improvement plan submittal to the Project Quality/Compliance Division, the developer's engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
 4. **DUST CONTROL PERMITS.** Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
 5. **UTILITY CONFLICT COORDINATION.** With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.
 6. **PROXIMITY TO WATER TREATMENT FACILITY.** The developer shall undertake appropriate due diligence and, provide written notification to make prospective purchasers aware of the proximity to the adjacent Arizona American Water Co. treatment facility, to the satisfaction of City staff.
 7. **ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ).** The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
 - a. Before approval of final improvement plans by the Project Quality/Compliance Division, the developer shall submit a cover sheet for the final improvement plans with a completed

- signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
- b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
 - e. Before issuance of Letters of Acceptance by the City Inspection Services Division, the developer shall:
 - (1). Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Built, as issued by the MCESD.
 - (2). Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
 - (3). Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
 - (4). Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.

**MCDONAL PROFESSIONAL CENTER
SEC Miller Road & McDonald Drive
TRAFFIC IMPACT ANALYSIS SUMMARY
6-GP-2004/12-ZN-2004**

Prepared by: Phillip Kercher, Traffic Engineering
Traffic Impact Study Prepared by: Joe Spadafino, Kirkham Michael Consulting Engineers

Existing Conditions:

The approximately 4-acre site is located on the southeast corner of Miller Road and McDonald Drive. The site is currently undeveloped. The property is owned by Arizona American Water Company, which operates a facility on the parcel directly south of this site. The other three corners of the intersection are occupied by office developments. The Arizona Canal borders the site along the eastern property line.

McDonald Road is designated as a minor arterial on the City's Streets Master Plan. Between Scottsdale and Hayden Roads it is primarily constructed as a four-lane roadway with a center two-way left-turn lane. There is an existing bridge just east of Miller Road that constricts the roadway to a four-lane width; there are no left-turn lanes at the Miller Road intersection as a result. Traffic signals are limited to the intersections with Scottsdale Road, Miller Road, and Hayden Road. The current daily volume of traffic using this section of McDonald Drive is 19,700 vehicles.

Miller Road is designated as a local street both north and south of McDonald Drive on the City's Streets Master Plan (it is referred to as Cattletrack Road north of McDonald Drive). South of McDonald Drive Miller Road functions as a local collector street. It is constructed as a two-lane roadway. There are no turn lanes at the McDonald Drive intersection. It is estimated that the current daily volume of traffic on Miller Road south of McDonald Drive is 1,000 vehicles.

The year 2002 segment accident rate for McDonald Drive from Scottsdale Road to Hayden Road was 0.83 accidents per million vehicle miles. The citywide average rate was 1.49. There have been seven reported accidents at the intersection of Miller Road since 2002.

Proposed Development:

The site currently has a zoning designation of Single Family Residential (R1-43) and a General Plan designation of Rural Neighborhoods. The applicant is requesting a General Plan amendment to the Office category. There is also an associated request to rezone the property to Service Residential (SR). This would allow the development of 27,490 square feet of general office space in two one-story buildings.

The trip generation for development under the existing and proposed General Plan designations and zoning districts are presented in the table below. The trip generation for the existing zoning is based on development of three single-family dwelling units, which require a minimum lot size of 43,000 square feet. The trip generation for the proposed zoning is based upon the submitted development plan.

TRIP GENERATION COMPARISON TABLE

Land Use	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Existing zoning: Single Family – 3 dwelling units	41	1	2	3	3	2	5
Proposed zoning: General Office Building – 27,490 s.f.	494	59	8	67	19	91	110
Difference	+453	+58	+6	+64	+16	+89	+105

This trip generation is based on data contained in the Institute of Transportation Engineer's *Trip Generation*. It should be noted that there are other potential uses that are allowed under the R1-43 zoning category that would generate more traffic, such as churches and private schools. A traffic impact study prepared by Kirkham Michael Consulting Engineers under the city's TIMA Program that examined the impacts from the proposed development. The trip generation comparison indicates that there will be an increase in daily and peak hour trip generation with the proposed development.

The site is proposing to have two access points, one stop controlled driveway on Miller Road and one on McDonald Drive. The driveway on Miller Road would provide full access. The driveway on McDonald Drive would likely be restricted to right-in, right-out access only. The applicant is exploring the possibility of providing left-in access, but this would need to be incorporated into the city's roadway improvement project, which is described below. The left turn median modifications may require bridge widening that may not be included in the project improvements.

Future Conditions:

The submitted traffic study analyzes the traffic conditions for the year 2005, which is the assumed build out year for the development, and for future year 2015 conditions. Background 2005 traffic volumes were obtained by interpolating between existing and projected 2015 traffic volumes. Future 2015 projected volumes were obtained from the *McDonald Road Street Improvements Technical Memorandum*.

The traffic conditions for 2005 assume the existing street improvements at the signalized intersection of McDonald Drive and Miller Road. The site-generated traffic has been added to the year 2005 background traffic to derive total traffic volumes. All movements at the intersection operate at LOS D or better.

Future 2015 conditions at the intersection are similar to the 2005 conditions. It is assumed that McDonald Drive and Miller Road intersection has been improved to add left turn lanes for all four approaches and a northbound right turn lane (see "Additional Information" below). All movements at the intersection operate at LOS D or better.

The level of service at the site driveways is LOS D or better for all movements for both the 2005 and 2015 conditions. There is a low volume of traffic on this street, so there is little conflict with the turning movements into and out of the site driveways. The right-in, right-out access on McDonald does not conflict with other movements.

Additional Information:

The City has Capital Improvement Project (CIP) planned for this section of McDonald Drive – Scottsdale Road to Hayden Road. This project will construct additional turn lanes at the Scottsdale Road, Miller Road, and 78th Street intersections. Construction is anticipated to begin in the summer of 2005. The project is currently nearing the end of the planning phase and beginning the design phase.

It is expected that the project will construct left turn lanes on all four approaches at the intersection of McDonald Drive and Miller Road/Cattletrack Road. The preliminary plans also include a northbound right-turn lane at the intersection.

Summary:

The approval of the rezoning request from Single Family Residential (R1-35) to Service Residential (SR) and the associated General Plan change from Rural Neighborhoods to Office on the subject parcel will likely yield a net increase of 453 trips per day. The peak hour traffic generated by the site will also increase. It should be noted that there are other potential uses that are allowed under the R1-43 zoning category that would generate more traffic, such as churches and private schools. The site-generated traffic will be directed to Miller Road and to McDonald Drive via one new site driveway on each street. Access onto McDonald Drive will likely be restricted to right-in, right-out access only. Capacity analyses for the years 2005 and 2015 indicate that traffic at the signalized intersection of McDonald Drive and Miller Road will continue to operate at acceptable levels of service. Capacity analyses at the site driveways on Miller Road and McDonald Drive indicate that the site traffic will operate at good levels of service.

The City has Capital Improvement Project (CIP) planned for this section of McDonald Drive – Scottsdale Road to Hayden Road. This project will construct additional turn lanes at the Scottsdale Road, Miller Road, and 78th Street intersections. Construction is anticipated to begin in the summer of 2005. It is expected that this CIP project will construct left turn lanes on all four approaches at the intersection of McDonald Drive and Miller Road/Cattletrack Road. The preliminary plans also include a northbound right-turn lane at the intersection.

Staff Concerns/Comments:

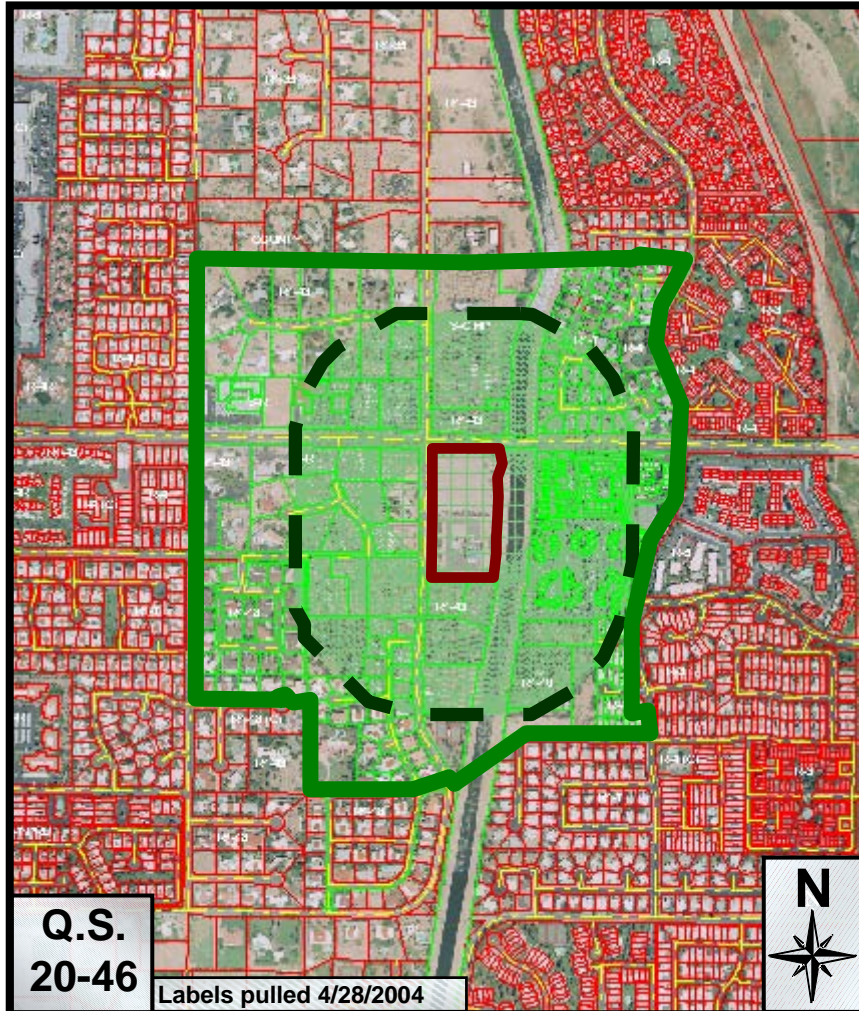
- The applicant has been stipulated to contribute in-lieu payments toward the planned street improvements for McDonald Drive and Miller Road. The traffic study indicates that the existing intersection configuration can accommodate the additional site traffic without deteriorating the current levels of service.
- The site driveway on McDonald Drive will likely be restricted to right-in, right-out only. Left-turn access would likely result in widening of the existing bridge structure just east of the site. This is not currently proposed to be a part of the city's planned Capital Improvement Project for McDonald Drive.
- There has been some concern expressed by some area residents about cut-through traffic on Palo Verde Drive, which connects Scottsdale Road to Miller Road south of the site. The planned Capital Improvement Project for McDonald Drive will improve both the Scottsdale Road and Miller Road intersections on McDonald Drive, which should encourage drivers to stay on the major streets and not utilize the local streets for access through this area.

Miller & McDonald
12-ZN-2004

Attachment #8. Citizen Involvement

The above attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

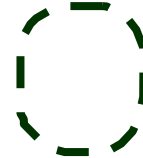
City Notifications – Mailing List Selection Map



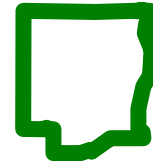
Map Legend:



Site Boundary



Properties within 750-feet



Extended Selection
(Additional properties notified)

Additional Notifications:

- Interested Parties List
- Scottsdale Coalition
- Adjacent HOAs

Camelback Mtn. View, Casitas Chaparral,
Laaaguana San Juan, Privado Village, Seville Park,
Sunrise Villas, Villa Antano, Villa De Bendita, Villa
Estados, Waldon Court, Waldon Place

Miller & McDonald

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ATTACHMENT #9



WAS INTERNATIONAL LLC



CONCEPTUAL SITE PLAN AND STREET SECTION